

Notice of Allowability

Application No.

09/701,634

Examiner

Wesley D Markham

Applicant(s)

MIYAZAWA, MAKOTO

Art Unit

1762

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 11/13/2003.
2. ☒ The allowed claim(s) is/are 1-4, 11, 12, 14 and 15.
3. ☒ The drawings filed on 01 December 2000 and 04 March 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input checked="" type="checkbox"/> Other <u>see attached Office Action</u> . |

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DETAILED ACTION / ALLOWANCE

Response to Amendment

1. Acknowledgement is made of the amendment filed by the applicant on 11/13/2003, in which Claims 2, 11, and 14 were amended. Claims 1 – 4, 11, 12, 14, and 15 are currently pending in U.S. Application Serial No. 09/701,634, which is a 371 (i.e., National Stage) Application of PCT/JP00/02099, filed on 3/31/2000. An Office Action on the merits follows.

Drawings

2. The formal drawings, specifically Figures 1, 2(a) and (b), 3(a) and (b), and 4(a) and (b), filed on 12/1/2000, and corrected Figure 5, filed on 3/4/2002 as paper #10, are approved by the examiner.

Claim Objections

3. The objections to Claims 2, 11, and 14, set forth in paragraph 4 of the previous Office Action (i.e., the non-final Office Action mailed on 8/13/2003), are withdrawn in light of the applicant's amendment in which typographical errors in the aforementioned claims were corrected.

Allowable Subject Matter

4. Claims 1 – 4, 11, 12, 14, and 15 are allowed.

5. The following is an examiner's statement of reasons for allowance: Independent Claim 1 (from which Claims 2 – 4, 11, 12, 14, and 15 depend) is drawn to a method of producing a spectacle lens. The claimed method generally comprises the steps of (1) receiving spectacle frame information, (2) forming a spectacle lens, (3) marking / depicting production information including an edging mark, which indicates a first region of the lens remaining after an edging matched with an inner peripheral edge of openings of the spectacle frame and is positioned outside the first region of a surface of the spectacle lens in a second region to be cut off by the edging, on the basis of the spectacle frame information after forming the lens, (4) performing at least one step selected from the group consisting of polishing, dyeing, hard coat forming, and anti-reflection coat (ARC) forming after the marking step, after which the edging mark remains on the spectacle lens, and (5) edging / cutting the lens into the shape of the inner peripheral edge of openings of the spectacle frame to remove the second region. A summary of the closest prior art of record follows. Kato (JP 09-99444) teaches the general method of producing a spectacle lens which comprises a marking step of depicting production information of the spectacle lens in a region of the surface of the spectacle lens to be cut off by edging. Specifically, Kato teaches providing reference marks in the unfinished lens's outer periphery to be cut off by edging (Solution and Figure 1). However, Kato does not teach a marking step of depicting production information of the spectacle lens including an edging mark, which indicates a first region of the lens remaining after an edging matched with an inner peripheral edge of openings of the spectacle frame, on the basis of the

spectacle frame information and providing the aforementioned edging mark at a position outside the first region of the spectacle lens, in a region to be cut off by edging. Logan et al. (USPN 4,711,035) teaches that the optical industry generally produces a pattern having the size and shape of a lens opening in an eyeglass frame for use as a guide in an edge grinding and contouring apparatus to peripherally edge grind the optical lens to the size and shape of the lens opening. The shape of the lens opening is transferred to the surface of the lens blank by tracing the outline of the inner periphery of the lens opening with a marker. The blank is then cut following the outline on the blank surface to form a pattern corresponding to the associated traced lens opening (Col.1, lines 15 – 30). Wood et al. (USPN 5,053,971) teaches that it was known at the time of the applicant's invention to map the surface of a lens at a slightly greater radius than the desired finished edge of the lens in order to avoid creating scratches on the surface of the lens (Col.8, lines 1 – 5). Blomberg et al. (USPN 6,242,065) teaches that, in the art of producing a spectacle lens (Col.1, lines 19 – 25), a normal process includes lens molding, hard coating, and antireflective coating prior to edging and placing the finished product into a lens frame (Col.8, lines 53 – 59). The applicant's admitted prior art (AAPA) also teaches that a known process for producing a spectacle lens includes the steps of dyeing, hard coat formation, and anti-reflection coating formation prior to edging the lens (see Figure 5, description in the "Background Art" section of the specification, and page 10, lines 13 – 15 of the applicant's specification). However, none of the references, alone or in combination, teach or

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reasonably suggest depicting an edging mark as claimed by the applicant after forming the spectacle lens and before processing the lens by polishing, dyeing, hard coat forming, and/or ARC forming, after which the edging mark remains on the spectacle lens. Specifically, there is no suggestion or indication in the prior art of record that an edging mark / line should be present on the lens prior to and/or during processing steps such as polishing, dyeing, hard coat forming, and/or ARC forming. In other words, there is no suggestion or motivation in the prior art of record to perform any of the claimed lens processing steps (e.g., polishing, dyeing, hard coat forming, and/or ARC forming) between the edging line marking step and the cutting (i.e., edging) step taught by Logan et al. For the above reasons, independent Claim 1 is allowed. Since Claims 2 – 4, 11, 12, 14, and 15 depend from Claim 1, these claims are also allowed.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wesley D Markham whose telephone number is (571) 272-1422. The examiner can normally be reached on Monday - Friday, 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive Beck can be reached on (571) 272-1415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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Wesley D Markham
Examiner
Art Unit 1762


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